

REMARKS

This is a Response to the Office Action mailed June 4, 2008, in which a three (3) month Shortened Statutory Period for Response has been set, due to expire September 4, 2008. Fifty-two (52) claims, including twelve (12) independent claims, were paid for in the application. Claims 22-26 and 28-32 are pending. Claims 1-21, 27, 37, and 41-49 have been canceled previously. Claims 33-36, 38-40, and 50-52 have been withdrawn previously. No new matter has been added to the application. The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Rejections under 35 U.S.C. §102(c)

Claims 22-26 and 28 are rejected under 35 U.S.C. §102(c) as being anticipated by U.S. Patent Publication No. 2003/0064774 issued to Fujimoto et al. (hereinafter "Fujimoto"). Applicants respectfully disagree with the basis for the rejection and request reconsideration in view of the following remarks.

Some of the disclosed embodiment of the invention will now be discussed in comparison to the applied reference. Of course, the discussion of the disclosed embodiment, and the discussion of the differences between the disclosed embodiment and the subject matter described in the applied reference, does not define the scope or interpretation of any of the claims. Instead, such discussed differences merely help the Examiner to appreciate important claim distinctions discussed thereafter.

One of the disclosed embodiments of the invention is directed to a playing card reader. The playing card reader includes a housing, a transmitter, a receiver, at least a first antenna, and a computer-readable medium. The housing has a receptacle sized to receive a plurality of playing cards, the transmitter, and the receiver. The first antenna is electrically coupled to at least one of the transmitter and receiver, and is positioned to electro-magnetically interrogate at least one of the playing cards. The computer-readable medium stores a mapping that uniquely identifies playing cards based on a random distribution of conductive material carried by each of the playing cards.

Those ordinarily skilled in the art will likely appreciate the advantages provided by having each playing card carrying conductive material where the distribution of the conductive material on each playing card is random. First, the random distribution of conductive material on each playing card, analogous to a unique signature of each respective playing card, can be used to uniquely identify each playing card, e.g., by using a mapping stored in a computer-readable medium. This allows uniquely identifying the rank and/or suit of a given playing card in a set of playing cards, or alternatively, uniquely identifying the playing card from all playing cards used in the casino. Additionally, the costs associated with the manufacturing of the playing cards are advantageously lower with the use of random distribution of conductive material on each playing card for identification, compared to the costs with embedding an integrated-circuit (IC) chip in each playing card. It is inexpensive to simply randomly distribute conductive material in or on cards during the manufacturing process. On the other hand, at the time of filing of the present application, IC chips, e.g., radio frequency identification (RFID) tags, had a cost of \$1.50-\$2.50 each when purchased in quantity. Moreover, the use of randomly distributed conductive material allows the ability for playing cards to maintain a low profile and be indistinguishable from the look and feel of standard playing cards. The inclusion of an IC chip inevitably creates somewhat of a bump on the surface of playing cards, and consequently a card distributor may be thrown off by the presence of the IC chip. This is important to players who reject changes as well as to dealers who have been highly trained to quickly handle standard playing cards.

Fujimoto is generally directed to a wirelessly communicable game monitoring system (Abstract). As disclosed, the card game monitoring system 1 includes the identifying information recording device 2, the identifying information reading device 3, and the control device 4 (Fig. 2 and par. 0030). The identifying information recording device 2, embedded in the respective card 9, is a means for recording various pieces of information including *the numeral information on the card for identifying a self* and other information, such as a date, a place, etc. (Fig. 3 and par. 0031). Other than the identifying information recording device 2, the card 9 also includes the antennal coil 11 and the IC chip 12 that is connected to both ends of the antenna coil 11 (Fig. 3 and par. 0032). The identifying information reading device 3 is a means

for reading information recorded on the identifying information recording device 2 during the games, and comprises a transmitter-receiver that performs no-contact information transmission to and from the antenna coil 11 (par. 0033).

Clearly, the disclosure of Fujimoto is quite different from the above-described embodiment of the invention. For example, Fujimoto discloses identifying the playing cards by using the identifying information recording device 2 of each card 9 to record the *numeral information* on the respective card 9 for identification of the card. Whether it includes a sequentially-assigned number or even a randomly-assigned number, the “numeral information” is not conductive material or a random distribution of conductive material carried by a playing card. In other words, identifying each playing card based on its respective numeral information is not the same as, and cannot possibly be considered as, identifying each playing card based on a random distribution of conductive material carried by each respective playing card.

Fujimoto not only fails to suggest the inventive concept of using a random distribution of conductive material carried by each of the playing cards for identifying the playing cards, Fujimoto in fact teaches away from it. More specifically, the “numeral information” on a card is likely to contain some number, and such number has to be assigned to the card one way or another, e.g., in a sequential-order from one card to the next or in some other fashion. That is, a known number, or numeral information, is assigned to each card as the card’s identification. This is opposite from the concept of using a random distribution of conductive material carried by each of the playing cards for identifying the playing cards.

Turning to the specific claim language, claim 22 recites, *inter alia*, a playing card reader comprising ... a computer-readable medium storing a mapping that uniquely identifies playing cards based on a random distribution of conductive material carried by each of the playing cards. As explained above, Fujimoto fails to disclose a combination of these and other recited limitations of claim 22. Claim 22 is thus believed to be patentable over Fujimoto.

Claim 29 recites, *inter alia*, a system for wirelessly monitoring wagering and play of a playing card game at a gaming table using playing cards and wagering chips each bearing conductive material, the system comprising ... a computing system coupled to receive data from both the wireless card reader and the wireless chip reader, the computer system including a

computer-readable medium storing a mapping that uniquely identifies playing cards based on a random distribution of conductive material carried by each of the playing cards. As explained above, Fujimoto fails to disclose a combination of these and other recited limitations of claim 29. Claim 29 is thus believed to be patentable over Fujimoto.

Claims 23-26 and 28 are also believed to be patentable over Fujimoto because of their respective dependency on patentable independent claim 22, and because of the additional limitations recited by those claims. For example, claim 24 recites, *inter alia*, at least a portion of the housing comprises a radio frequency barrier positioned between the receptacle and an exit of the housing. Although the Examiner took the position that paragraphs 0033-0034 of Fujimoto discloses all the limitations recited by claim 24, it is respectfully submitted that the cited passage of Fujimoto mentions nothing about a radio frequency barrier. If the Examiner wishes to maintain the rejection, the Examiner is respectfully requested to point out specifically where in the cited reference such disclosure can be found.

Therefore, the rejection of claims 22-26 and 28 under 35 U.S.C. §102(e) should be withdrawn.

Rejections under 35 U.S.C. § 103(a)

Claims 29-30 and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujimoto in view of U.S. Patent No. 6,346,044 issued to McCrea Jr. (hereinafter "McCrea"). Claim 31 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujimoto in view of McCrea, as applied to claim 29, and further in view of U.S. Patent No. 5,735,742 issued to French (hereinafter "French").

As explained above, Fujimoto fails to disclose each and every limitation recited by claim 29. McCrea teaches optically recognizing playing cards either by optically reading identity code on the playing cards or comparing a captured image with a previously stored image. Hence, McCrea fails to remedy the deficiencies of Fujimoto. French teaches the use of electronic tags or transponders to identify gaming chips. French is silent with respect to identification of playing cards. Hence, French also fails to remedy the deficiencies of Fujimoto.

Claim 29 is thus believed to be patently distinguishable over Fujimoto, McCrea, and French, whether taken alone or in combination.

Claims 30 and 32 are believed to be patentable over Fujimoto in view of McCrea because of their respective dependency on patentable independent claim 29, and because of the additional limitations recited by those claims. Claim 31 is believed to be patentable over Fujimoto in view of McCrea and further in view of French because of its dependency on patentable independent claim 29, and because of the additional limitations recited by claim 31. Therefore, the rejection of claims 29-32 under 35 U.S.C. §103(a) should be withdrawn.

Conclusion

Overall, the cited references do not singly, or in any motivated combination, teach or suggest the claimed features of the embodiments recited in independent claims 22 and 29, and thus such claims are believed to be allowable. Because the remaining claims depend from allowable independent claims 22 and 29, and also because they include additional limitations, such claims are likewise believed to be allowable. If the undersigned attorney has overlooked a relevant teaching in any of the references, the Examiner is requested to point out specifically where such teaching may be found.

In light of the above amendments and remarks, Applicants respectfully submit that all pending claims are allowable. Applicants, therefore, respectfully request the Examiner to reconsider this application and timely allow all pending claims. Examiner Rada is encouraged to contact the undersigned attorney by telephone to discuss the above and any other distinctions between the claims and the applied references, if desired. If the Examiner notes any informalities in the claims, he is encouraged to contact the undersigned attorney by telephone to expediently correct such informalities.

Respectfully submitted,
SEED Intellectual Property Law Group PLLC

/Andy M. Han/
Andy M. Han
Registration No. 60,266

AMH:vj

701 Fifth Avenue, Suite 5400
Seattle, Washington 98104
Phone: (206) 622-4900
Fax: (206) 682-6031

1187353_1.DOC